

**To:** Mitchell, Stacey[Mitchell.Stacey@epa.gov]; Minoli, Kevin[Minoli.Kevin@epa.gov]; Vaught, Laura[Vaught.Laura@epa.gov]; Distefano, Nichole[DiStefano.Nichole@epa.gov]; Rackoff, Jonathan[Rackoff.Jonathan@epa.gov]; Matthew, Dayna[Matthew.Dayna@epa.gov]  
**From:** Turley, Jennifer  
**Sent:** Mon 8/17/2015 4:18:00 PM  
**Subject:** Congressional Oversight News for August 17, 2015



## Congressional Oversight News for August 17, 2015



### Congressional Oversight Boot Camp

The Project on Government Oversight issued the following news release:

Three nonprofit organizations seeking to improve the quality of public policy through bipartisan, fact-based Congressional oversight investigations have joined forces to sponsor an intensive training session for Congressional staff, called an "Oversight Boot Camp." The Project On Government Oversight (POGO), the Levin Center, and the Lugar Center held their first joint boot camp on August 11 and 12, in Washington, DC.

"Effective bipartisan oversight is a lost art that needs to be revived," said Sen. Carl Levin (D-Mich.), who conducted Senate investigations for over 30 years before retiring last year and who personally opened the boot camp session this week.

"We believe the Oversight Boot Camp has great potential to bolster government accountability and bipartisan cooperation in Congress, and the Lugar Center looks forward to continuing our work in this area with our dedicated partners," said Sen. Richard Lugar (R-Ind.).

"POGO is thrilled to partner with the Levin Center and The Lugar Center to advance the quality and effectiveness of Congressional oversight," said POGO executive director Danielle Brian.

The goal of the oversight boot camp was to foster bipartisan, fact-based, in-depth investigations. Activities included drafting investigative, hearing, and follow-up plans, and working through common investigative problems. The boot camp instructors--two each from Democratic and Republican offices--were former Congressional investigators with decades of combined oversight experience.

The demand for oversight training is strong, bi-cameral, and bipartisan. Within an hour of its being announced, the boot camp was booked to full capacity and had a significant wait list. The final group of 18 staffers came equally from the House and Senate and from both parties. Most were from investigative committees, but a few were from the personal staffs of Members of Congress. They included both junior and senior investigators.

The Levin Center, formed by Sen. Levin earlier this year, is located in Detroit, sponsored by Wayne State University Law School, and dedicated to strengthening legislative oversight efforts.

The Lugar Center, formed in 2013 by Sen. Lugar, specializes in advancing a bipartisan approach to a range of defense and foreign affairs issues.



## **EPA readies for oversight after toxic mine spill**

John Siciliano

The head of the Environmental Protection Agency thinks the mine spill disaster in Colorado isn't an issue that will go away anytime soon, and says the agency is readying for a wave of congressional oversight and lawsuits long after the crisis has been resolved.

"This is going to be a longer-term conversation," requiring "a lot of congressional input in terms of how we address these mining challenges," EPA Administrator Gina McCarthy

said Thursday, nearly a week after a plume of toxic sludge flooded the river system in Colorado, and is now impacting three states.

The incident was caused when an EPA contractor accidentally ruptured a containment wall at a gold mine in Colorado, resulting in the uncontrollable release of millions of gallons of toxic waste into the freshwater river system.

McCarthy explained that EPA will be reviewing how it treats the thousands of mines in the West to ensure this doesn't happen again. She said it may take designating the nearly 4,000 mines that EPA oversees as government "Superfund" sites, which would secure federal dollars to invest in cleaning up the mines to prevent another spill.

EPA has been looking for years at designating the mines as Superfund sites, McCarthy said. But it's going to take a "longer-term conversation" with the Congress, she said.

She added that these mining challenges are "in no way unique to Colorado, ... and we will be looking at them more broadly." She also said there are multiple investigations being conducted on the incident by the agency, including an internal one, to understand what exactly occurred with the contractor.

Rep. Ben Lujan, D-N.M., who joined McCarthy at a press conference Thursday, said he will be part of an effort in the Congress to address the long-term implications of the crisis. Lujan, along with the entire New Mexican Democratic delegation, had criticized EPA for its lackluster response to the incident, and pressed McCarthy to oversee the response efforts in the western states.

"The response that we are seeing is different than how we got started," Lujan said. But he said there is still a "responsibility in the Congress to address all of the mines that have to be cleaned up, to make sure sites that need to be designated as Superfund sites get that designation, so those resources are made available, and so we are addressing all those abandoned mines, so this problem does not happen again."

Others, like Rep. Rob Bishop of Utah, the Republican chairman of the House Natural Resources Committee, said he is readying oversight hearings once Congress comes back into session in September. Both Sens. James Inhofe, the GOP chairman of the Senate environment committee, and Barbara Boxer, the Democratic ranking member on the committee, expressed concerns this week over the incident and the need for it to be addressed by their panel.

McCarthy took full responsibility for the spill earlier this week at an event meant to highlight EPA's work in combating the threat of global warming. The spill that began in Colorado Aug. 5 had since spread a toxic mix of chemicals from Colorado, through the Animas and San Juan rivers, into New Mexico and Utah.

EPA has come under criticism, not only for creating the spill, but for failures in coordinating its clean-up response.

McCarthy said she will brief the White House on the crisis Friday. She wasn't sure if President Obama would make a statement, but said when it comes to EPA, "nobody wants to do this the right way more than we do."

McCarthy also told reporters that the agency wasn't discouraged in its efforts by media accounts that the Navajo Nation was preparing to sue the agency over its response.

She said EPA is used to getting sued. She said she had met with Navajo officials and the lawsuit didn't come up in those conversations.

McCarthy said the spill response is ongoing, but that there are indications that at least part of the river system is at "pre-incident conditions."

The data still needs to be checked, but it "gives us a sense that we are on a trajectory" toward improvement, she said. "But clearly we need to continue to work, not just short term, to look at every segment of the river moving forward," McCarthy added. "EPA is in it for the long haul as well."

*Brought to you by the Office of  
General Counsel Law Library*

Jennifer Turley, Law Librarian

ASRC Primus Contractor

U.S. Environmental Protection Agency

Office of General Counsel

202/564-3971

[turley.jennifer@epa.gov](mailto:turley.jennifer@epa.gov)

***Tell us how we're doing - rate our  
customer service!***

<http://www.surveymonkey.com/s/epalibsurvey>